

QUANTITY: 19 30-lb. ctns. of raisins and 17 25-lb. ctns. of evaporated apples, at Charlotte, N.C., in possession of Thomas & Howard Co.

SHIPPED: Between 9-29-60 and 2-9-61, from San Francisco, Calif.

LIBELED: 7-18-61, W. Dist. N.C.

CHARGE: 402(a)(3)—contained insects; and 402(a)(4)—held under insanitary conditions.

DISPOSITION: 11-3-61. Default—destruction.

### PRESERVES

27626. Raspberry preserves. (F.D.C. No. 46347. S. No. 27-007 T.)

QUANTITY: 135 cases, 12 jars each, at Omaha, Nebr.

SHIPPED: 6-5-61 and 7-28-61, from Fargo, N. Dak., by Paul Mark, Inc.

LABEL IN PART: (Jar) "PM Imperial Pure Seedless Black Raspberry Preserves Net Contents 2 Pounds Mfg. by Paul Mark, Inc. Fargo, North Dakota."

RESULTS OF INVESTIGATION: Examination showed that the article was short weight and failed to meet the definition and standard of identity for black raspberry preserves in that the soluble solids content of the article was less than 68 percent.

LIBELED: 9-26-61, Dist. Nebr.

CHARGE: 403(e)(2)—when shipped, the article failed to bear a label containing an accurate statement of the quantity of contents; and 403(g)(1)—the article failed to conform to the definition and standard of identity for black raspberry preserves.

DISPOSITION: 10-27-61. Default—delivered to a nonprofit organization.

27627. Raspberry preserves. (F.D.C. No. 46348. S. No. 34-505 T.)

QUANTITY: 49 cases, 12 jars each, at Minneapolis, Minn.

SHIPPED: 7-28-61, from Fargo, N. Dak., by Paul Mark, Inc.

LABEL IN PART: (Jar) "PM Imperial Red Raspberry Preserves Net Contents 2 Pounds Mfg. by Paul Mark, Inc. Fargo, North Dakota."

RESULTS OF INVESTIGATION: Examination showed that the article was short weight.

LIBELED: 9-29-61, Dist. Minn.

CHARGE: 403(e)(2)—when shipped, the article failed to bear a label containing an accurate statement of the quantity of contents.

DISPOSITION: 11-15-61. Default—delivered to charitable institutions.

### VEGETABLES AND VEGETABLE PRODUCTS\*

27628. Dried red beans. (F.D.C. No. 46149. S. No. 77-394 R.)

QUANTITY: 303 1-lb. bags and 46 2-lb. bags at San Francisco, Calif., in possession of Japan Food Corp.

SHIPPED: 4-30-61, from Yokohama, Japan.

LABEL IN PART: (Bag) "Maru Hokkai Azuki Extra Fancy \* \* \* Product of Japan, Japan Food Corporation, San Francisco, Los Angeles."

\*See also No. 27612.

**RESULTS OF INVESTIGATION:** The article was repacked by the dealer from bulk beans shipped as described above. Examination showed the article to be small dried dark red beans. The quantity of contents statements were obscured by beans in the background, and the name of the article did not appear on the label in the English language.

**LIBELED:** 8-2-61, N. Dist. Calif. ✓

**CHARGE:** 403(f)—while held for sale, the information required to appear on the label under 403 (e) (2) and (i) (1), namely, the quantity of contents statement, and the common or usual name of the article, was not prominently placed thereon with such conspicuousness (as compared with other words and statements on the label) as to render it likely to be read by the ordinary individual under customary conditions of purchase and use.

**DISPOSITION:** 8-9-61. Consent—claimed by Japan Food Corp., and relabeled.

**27629. Canned sauerkraut.** (F.D.C. No. 46491. S. No. 30-111 T.)

**QUANTITY:** 383 cases, 6 6-lb. 3-oz. cans each, at Riverside, Calif.

**SHIPPED:** 7-19-61, from Ogden, Utah, by Storey Food Products.

**LABEL IN PART:** (Case) "Del Haven Sauerkraut" and (can) "Del Haven Sauerkraut \* \* \* Packed for Federated Foods, Inc. Chicago, Ill., San Francisco, Calif."

**LIBELED:** 10-6-61, S. Dist. Calif. ✓

**CHARGE:** 402(a) (3)—contained live maggots; and 402(a) (4)—prepared and packed under insanitary conditions.

**DISPOSITION:** 11-2-61. Default—destruction.

## NUTS AND NUT PRODUCTS

**27630. Shelled almonds.** (F.D.C. No. 46285. S. No. 80-600 R.)

**QUANTITY:** 88 100-lb. bags at Malden, Mass.

**SHIPPED:** 10-17-56, from Sacramento, Calif.

**LIBELED:** 8-21-61, Dist. Mass. ✓

**CHARGE:** 402(a) (3)—contained insects while held for sale.

**DISPOSITION:** 10-2-61. Default—destruction.

**27631. Shelled peanuts.** (F.D.C. No. 46143. S. No. 63-977 R.)

**QUANTITY:** 504 124-lb. bags at Nashville, Tenn.

**SHIPPED:** 7-5-61, from Macon, Ga.

**RESULTS OF INVESTIGATION:** Examination showed that the article had a foreign and offensive taste due to having been damaged by fire and smoke in fire in rail car while en route.

**LIBELED:** 7-26-61, M. Dist. Tenn. ✓

**CHARGE:** 402(a) (3)—while in interstate commerce, the article was unfit for food because of having a foreign and offensive taste caused by fire and smoke.

**DISPOSITION:** 7-31-61. Consent—claimed by L & N Railroad, Nashville, Tenn., and sold for use as animal feed.

**27632. Brazil nuts (2 seizure actions).** (F.D.C. Nos. 45121, 45266. S. Nos. 1-326 R, 45-491 R.)

**QUANTITY:** 89 cases, 24 1-lb. pkgs. each, at Forest Park, Ga.